

Senator Wood moved to amend by striking out the word "nine" before the word "years" and insert "seven."

On motion of Senator Ellis, the joint resolution, amendments of the committee, and all other proposed amendments were postponed until Monday next, at 11 o'clock A. M., made special order for that day and hour, one hundred copies ordered printed for the use of the Senate, and to continue as said special order from day to day until disposed of.

On motion of Senator Flanagan, the Senate adjourned until at 10 o'clock A. M. Monday.

THIRTY-SIXTH DAY.

SENATE CHAMBER,
AUSTIN, February 22, 1875.

Senate met pursuant to adjournment. Roll called; quorum present. Prayer by Rev. Dr. Dodge, of Austin.

On motion of Senator Erath, the reading of the journal of Saturday was dispensed with.

Senator Flanagan offered the following resolution:

Resolved, That this being the anniversary of the birthday of George Washington, and appropriately made a national holiday by law, the Senate stand adjourned until 10 o'clock A. M. to-morrow.

Senator Ireland moved that the consideration of the resolution be postponed until 12 o'clock M.

Senator Flanagan stated that rather than have the consideration of said resolution postponed, he would withdraw the same. Resolution withdrawn.

Senator Wood submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee of Free Conference on the part of the Senate and House, to whom was referred Senate joint resolution No. 447, concerning Louisiana, have carefully considered the same, and most respectfully recommend that the House recede from its substitute for the fourth section of said joint resolutions, and that the fourth section of said joint resolutions, as passed by the Senate, be

stricken out, and that said joint resolutions as so amended be adopted. All of which is respectfully submitted.

WOOD, Chairman part of Senate.

J. P. McLEARY, Chairman House Com.

Report adopted.

Senator Joseph, for Committee on Engrossed Bills, submitted the following reports :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 648, "An act to incorporate the Gulf, Austin and Northern Railroad Company, and to grant land to aid in the construction thereof." Senate bill No. 574, "An act requiring judicial notice to be taken of certain private laws." Senate bill No. 672, "An act to regulate and define the manner in which sales of land and personal property shall be advertised under execution, or order of sale, by sheriffs, constables or other officers." Senate bill No. 679, "An act to authorize the several counties of this State to raise means to pay their present indebtedness;" approved May 1st, 1874. Senate bill No. 677, "An act for the relief of Oscar M. Jackson," and find all of same correctly engrossed.

JOSEPH, for Committee.

Senator Shepard, Chairman Committee on Asylums, submitted the following reports :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Asylums instruct me to make the following report :

On the twelfth day of this month, your committee visited the Institute for the Blind, and made a careful inspection of its condition and management.

We found the pupils in a fine state of health. They seem to be making fair progress in their studies, and are apparently as happy and contented as can well be expected of them.

There is room at the Institute for more pupils, but there are as many now receiving its benefits as the appropriation made at our last session will support.

The Institute is well managed by the efficient Superintendent, Hon. Frank Rainey, and we recommend to the

Senate, a careful consideration of his interesting and able report, made to this term of the Legislature.

The only trouble that has arisen in the management of the Institute, has its origin in the fact that there is no law clearly defining, regulating and separating the duties and powers of the Superintendent and Board of Trustees.

The buildings need some repairs in the way of roofing, plastering, etc., which should be made as soon as practicable.

Many of the pupils have become expert in such useful occupations as broom and mattrass making, bottoming chairs, and the like, from which they are enabled to derive some little revenue. A great deal more could be done for them in this way, but there is only one small room which can be used as a work room, and it is not large enough to accommodate one-half of those desiring to work.

We think it advisable to cause the erection of work shops, large enough for all purposes.

The grounds are beautiful, and well kept, but the fences need repairing, and making anew in many places.

There is a fine vacant lot belonging to the Institute and adjoining the enclosed premises, which should also be enclosed, in order that it may be put to some use.

Your committee also found that some more bedding and furniture is needed for the dormitories and rooms occupied by the pupils as sleeping apartments.

The number of pupils having increased since the last appropriation was made, the Superintendent was forced, from necessity, to donate \$250 00 of the support fund, to the purchae of bedding and furniture. This sum should be supplied to the support fund, and an additional appropriation made to supply existing wants.

As the result of their observations, your committee instructed me to recommend appropriations, in addition to those for the current expenses of the Institute, for the following purposes:

1. For repair of buildings, \$250.
2. For fencing grounds, \$250.
3. For purchase of bedding and furniture, \$250.
4. To refund the amount taken from support fund for the purchase of bedding and furniture and finishing domitory, \$250.
5. For insurance of buildings, \$500.
6. For the purchase of one piano-forte, \$600.
7. For the building of a workshop, the cost is estimated by the Superintendent at \$2500.

Your committee are divided in opinion as to this last appropriation, because of the unfortunate financial condition of the State, yet all concur most heartily in the opinion that it will prove a great advantage and benefit to the successful operation of the Institute, if the expense can possibly be afforded.

We respectfully recommend this item to the consideration of the Finance Committee.

In conclusion, your committee respectfully recommend the passage of an act defining and separating the duties and powers of the Superintendent and Board of Trustees.

Your committee have not prepared any bill for this purpose, as we learn one to this effect is now pending in the House of Representatives. SETH SHEPARD, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Asylums instruct me to make the following report:

In pursuance to our duty, your committee have visited the State Lunatic Asylum and made a thorough inspection of the grounds and buildings, and of the condition and management of the patients.

Your committee were well pleased with what we saw of the management of the Asylum, and the condition in which we found the wards and rooms occupied by the inmates. Everything was neat and comfortable.

The number of patients has been and is constantly increasing; the building is now crowded to overflowing. The number of patients is so great that all the sitting-rooms in the various wards have been converted into bedrooms, and with these the place is too much crowded for comfort, convenience and health. The demand for enlargement of the building is imperative.

A new building is now being erected in accordance with an appropriation made heretofore; it is a splendid and substantial stone structure, and will soon be finished. This building, however, will not be sufficient to meet the needs of the Asylum.

Your committee are well prepared to endorse the statement made by the Superintendent. Hon. D. R. Wallace, in his very learned and able report, to the effect, that it is of the first importance, in all cases of mental derangement, that the patient be put under immediate treatment; cases

of long standing are seldom cured, and such persons become a life-time charge upon the State.

In view of this fact, it will prove to be true economy, to put the enlargement of the buildings and the increase of accommodation, a pace in advance, if possible, of the increase in the number of patients.

Your committee deem it advisable and necessary to increase the size of the main asylum building, by the addition of a western wing in accordance with the original plan. This is the recommendation of the Superintendent also, and it is believed that it will give more room with the expenditure of less money, than if a separate building were to be erected.

Your committee make this recommendation with a full knowledge and appreciation of the financial embarrassment of the State; and differing, because of this, we have concluded not to recommend the appropriation of any specific sum of money.

We therefore respectfully invite the attention of the Finance Committee to this report, and to the report of the Superintendent and managers of the Asylum, and we request them to make the largest possible appropriation, for the buildings we have recommended, of which the State revenues will admit, taking the estimate of the Superintendent as a *maximum*.

The increase in the number of the patients and the abolition of the office of treasurer, render the duties and labors of the officers of the Asylum burdensome.

The assistant superintendent, Dr. R. H. Bibb, keeps the books and assists the Superintendent in the management and treatment of the patients. His salary for these services is only \$1500 per annum, a sum which your committee think is inadequate compensation for the duties to be performed. We would therefore respectfully recommend that his salary be increased to at least \$1800 per annum.

Your committee deem it unnecessary to enter into further details; these will be found carefully and intelligently presented in the report of the Superintendent and managers. The Asylum is open to visitors nearly every day in the week, and it would be well for members to visit it and see these things for themselves.

SETH SHEPARD, Chairman.

A message was received from the House announcing that the House had adopted the report of the Joint Com-

mittee of Conference on House bill No. 72, "An act to amend an act entitled 'an act to authorize the cancellation of patents in certain cases,'" approved February 3, 1854.

Senator Erath submitted the following report from the Conference Committee on House bill No. 72, "An act to amend an act entitled 'an act to authorize the cancellation of patents in certain cases.'"

Hon. R. B. Hubbard, President of the Senate :

Your Committee of Conference on the difference of the two Houses, on amendments by the House to Senate bill No. 72, "An act to amend an act entitled 'an act to authorize the cancellation of patents in certain cases.'" approved February 3, 1854, beg leave to report that they have had the same under consideration, and are instructed to report the bill back with the recommendation that the Senate adopt the House amendments, and that the bill, as amended, do pass.

G. B. ERATH, Chairman Senate Committee.

L. J. STOREY, Chairman House Committee.

Adopted.

Senator Baker, Chairman Finance Committee, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Finance Committee, to whom was referred Senate bill No. 716, "An act to authorize the Governor to offer a reward for the murderers of Wiley B. Pridgen," have duly considered the same, and recommend that it do not pass, for the reason that the law authorizes the Governor to offer rewards in such cases, and the limit fixed by law is as high as the committee would recommend in the case ; and they further believe that the matter should be left to the discretion of the Governor.

W. R. BAKER, Chairman.

Senator Westfall, for Committee on Enrolled Bills, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Enrolled Bills ask leave to report that they have carefully examined and find correctly enrolled, Senate bill No. 211, "An act regulating the sale of land under executions and judicial decrees," and have this 22nd day of February, 1875, at 10 o'clock A. M., presented the same to the Governor for his approval.

WM. H. WESTFALL, for Committee.

Senator Westfall introduced a bill entitled "An act to authorize sheriffs to transmit money to the office of the Comptroller of Public Accounts, by express." Read first time and referred to Committee on State Affairs.

Senator Russell introduced a bill entitled "An act prescribing limitation in suits for partition of lands." Read first time and referred to Judiciary Committee.

Senator Shepard introduced a bill entitled "An act supplemental to 'an act to organize the courts of justices of the peace and county courts, and to define their jurisdiction and duties,' approved August 13, 1870." Read first time and referred to Judiciary Committee.

Senator Ball offered the following resolution :

WHEREAS, On the — day of February, A. D. 1875, the Senate confirmed the appointment of J. H. Reed, of Hood county, as Notary Public, instead of J. H. Reeves; and

Whereas, It has been ascertained that through a mistake, the wrong name has been furnished his Excellency, the Governor, and that a commission has been issued and forwarded to said J. H. Reed; be it therefore,

Resolved, That his Excellency is hereby authorized to ask that said commission be returned to Secretary of State, and that same may be canceled, and that a copy of this resolution be furnished the Governor as soon as same shall pass.

Read and ordered to lie on the table.

Senator Craven introduced a bill entitled "An act to incorporate the Denison, Northern Texas and Rio Grande Railway, and to grant land to aid in the construction thereof." Read first time and referred to Judiciary Committee.

Senator Wood introduced a bill entitled "An act to amend the Penal Code." Read and ordered to lie on the table.

Senator Ireland introduced a bill entitled "An act to authorize the International Railroad Company to sue the State and to adjust the difference between said company and the State of Texas." Read first time and referred to the Committee on Judiciary.

Senator Wood introduced a joint resolution "Authorizing the Attorney General to intervene for the State in certain suits pending in the federal court at Austin." Read first time and referred to Judiciary Committee.

Senator Allison introduced a joint resolution "Pro-

posing an amendment to the constitution." Read and referred to Committee on Constitutional Amendments.

Senator Friend introduced a bill entitled "An act making an appropriation to defray the expense incurred under the extradition treaty, between the governments of Mexico and the United States, in arresting and bringing to the State of Texas fugitives from justice." Read first time and referred to Committee on State Affairs.

Senator Flanagan re-introduced his resolution to adjourn until 10 o'clock to-morrow, in honor of George Washington, this being the anniversary of his birthday.

Resolution adopted, and the Senate adjourned until 10 o'clock A. M. to-morrow.

THIRTY-SEVENTH DAY.

SENATE CHAMBER,)
AUSTIN, February 23, 1875.)

Senate met pursuant to adjournment ; roll called ; quorum present. Prayer by the chaplain.

On motion of Senator Wood, the reading of the journal of yesterday was dispensed with.

On motion of Senator Wood, the leave of absence heretofore granted to Senators Camp and Bradley, was extended until Monday next.

Senator Westfall presented a petition from C. R. Johns & Co., "Asking that an appropriation of \$278 40 be made to pay the engineer, provided for in "An act to provide for the navigation of the Trinity river, and to grant the aid of the State therefor," passed June 2, 1873. Read and referred to Committee on Finance.

The President of the Senate presented three memorials from the National Board of Trade of the City of Chicago. Read and referred to the Judiciary and Internal Improvement Committee.

Senator Flanagan, Chairman Committee on Counties and County Boundaries, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Counties and County Boundaries, to whom was referred Senate bill No. 614, "An act attach-

ing a portion of Trinity county to Polk county," have considered the same, and recommend that it do pass, with the following amendment: At the end of section one, add the words, "*provided*, the citizens in said detached portion of Trinity county shall pay their *pro rata* portion of the county indebtedness up to date of passage of this bill."

FLANAGAN, Chairman.

Senator Stirman, Chairman Committee on State Affairs, submitted the following reports :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on State Affairs would respectfully report back to your honorable body, House bill No. 231, "An act to incorporate the Galveston Cotton Exchange," and recommend its passage.

W. B. STIRMAN, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on State Affairs have considered Senate bill No. 729, "An act making an appropriation to defray the expense incurred under the extradition treaty between the Governments of Mexico and the United States, in arresting and bringing to the State of Texas fugitives from justice," and recommend that it do not pass.

W. B. STIRMAN, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on State Affairs would respectfully report back to your honorable body, Senate joint resolution No. 713, "To allow the State Geologist to furnish colleges of the State, and others, with duplicates of specimens in his possession," and recommend its passage.

W. B. STIRMAN, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on State Affairs would respectfully report back to your honorable body, Senate resolution, "Directing the Committee on State Affairs to enquire into and report by bill or otherwise, as to whether an appropriation is necessary, and if so, what amount, to pay physicians for services in enforcing quarantine on our coast for the last two or three years," and recommend

that no appropriation nor further action by this body is necessary.

W. B. STIRMAN, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on State Affairs beg leave to report back to your honorable body, Senate bill No. 727, "An act to authorize sheriffs to transmit money to the office of the Comptroller of Public Accounts, by express," and recommend that it do not pass.

W. B. STIRMAN, Chairman.

A message was received from the House announcing the passage of the following bills :

Senate bill No. 481, "An act to be entitled an act supplementary to and amendatory of an act entitled 'an act to incorporate the Tyler Tap Railroad Company,' " approved December 1st, 1871, with the amendments by the House.

Senate bill No. 547, "An act to validate the acts of J. B. B. Supple, notary public of Bell county," with amendments by the House.

House bill No. 714, "An act to incorporate the Corpus Christi, San Diego and Rio Grande Narrow Gauge Railroad Company, and to grant lands to aid in the construction of its road."

House bill No. 579, "An act to encourage the construction of narrow gauge railroads, and to cheapen transportation."

House bill No. 711, "An act regulating the affairs of the Deaf and Dumb and Blind Asylums."

House bill No. 760, "An act for the relief of persons interested in the University lands, sold under the provisions of an act entitled 'an act for the sale and disposition of the University lands,' approved August 30, 1856; and an act amendatory thereof, approved November 12, 1866.

Senator Friend, for Committee on Engrossed Bills, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 695, "An act to regulate proceedings in the district courts to escheat to the State the lands heretofore acquired in this State by non-

residents, aliens, either by purchase, descent or demise;" Senate bill No. 703, "An act to incorporate the San Antonio and Fredericksburg Narrow Gauge Railway Company;" Senate bill No. 707, "An act to amend section 324 of 'an act prescribing the mode of proceeding in district courts in matters of probate,'" approved August 15, 1870, and find all of same correctly engrossed.

FRIEND, for Committee.

Senator Wood introduced a bill entitled "An act supplemental to 'an act to establish a Criminal Court in the cities of Waco and Marlin, and defining the powers thereof,'" passed the first session of the Fourteenth Legislature, and an act amendatory of said above recited act, passed the same session. Read first time.

Senator Davenport introduced a joint resolution "Stopping the *per diem* of the members of the present session of the Fourteenth Legislature, on the 28th day of February, 1875." Read first time.

Senator Russell introduced a joint resolution "Granting leave of absence to the Hon. James A. Ware, Judge of the Twenty-fourth Judicial District." Read first time.

Senator Shepard introduced a bill entitled "An act to incorporate the Austin, Mineral and Western Railway Company." Read first time and referred to Committee on Internal Improvements.

Senator Flanagan introduced a bill entitled "An Act to authorize the corporation of the town of Henderson, in Rusk county, to aid in the construction of the Henderson and Overton Rail Road." Read first time and referred to Committee on Internal Improvements.

Senator Stirman introduced a bill entitled "An act to legalize the work, as Notary Public, of R. W. Walton, J. C. Bartlett and J. C. Baird, of Navarro county." Read first time and referred to Judiciary Committee.

Senator Ireland introduced a bill entitled "An act granting further time to the Galveston, Harrisburg and San Antonio Railway Company, and allowing it to change the the route of said road." Read first time.

Senator Culberson introduced a bill entitled "An act to prevent trespass on the real estate of the State of Texas, situate in the city of Austin." Read first time and referred to Committee on Public Grounds.

On motion of Senator Westfall, the rules were suspended and Senate bill No. 701, "An act to incorporate the Travis

Rifles, of the city of Austin," was taken up and read second time, pending amendments by the committee.

The amendments of the committee were adopted.

Senator Wood offered the following amendment: Amend section first, by adding to the end the following: "*provided*, said corporation shall only own and hold such real and personal property as may be necessary for the purpose and object of its organization." Adopted.

The bill, as amended, was then ordered engrossed.

On motion of Senator Westfall, the rules were suspended, bill read third time, and passed by the following vote:

YEAS—Senators Allison, Ball, Baker, Bradshaw, Dillard, Davenport, Ellis, Erath, Flanagan, Hobby, Ireland, Joseph, Ledbetter, Parker, Randle, Russell, Shepard, Stirman, Swift, Westfall and Wood—21.

NAYS—Senators Friend and Morris—2.

On motion of Senator Erath, the rules were suspended and Senate bill No. 718, "An act to incorporate the Waco, Belton and Gatesville Turnpike Company," was taken up, read second time and ordered engrossed.

On motion of Senator Erath, the rules were suspended, bill read third time, and passed by the following vote:

YEAS—Senators Ball, Baker, Burton, Culberson, Craven, Davenport, Dwyer, Erath, Flanagan, Friend, Ireland, Joseph, Ledbetter, Randle, Russell, Shepard, Westfall and Wood—18.

NAYS—Senators Allison, Dillard, Ellis, Morris, Parker, Stirman and Swift—7.

On motion of Senator Shepard, the rules were suspended and Senate bill No. 481, "An act supplementary to and amendatory of an act entitled 'an act to incorporate the Tyler Tap Railroad Company,' approved December 1st, 1871, was taken up, pending amendments by the House.

The Senate concurred in House amendments.

On motion of Senator Craven, the rules were suspended and House bill No. 760, "An act for the relief of persons interested in the University lands, sold under the provisions of an act entitled 'an act for the sale and disposition of the University lands,' approved August 30, 1856; and an act amendatory thereof, approved November 12, 1866, was taken up and read first time. Rules suspended and bill read second time.

Senator Wood offered the following amendment: "*provided*, the State shall not be subjected to the payment of

any fees or expenses under this act, except in cases where the land is sold and purchased by the State ; and *provided, further*, the State does not relinquish the vendor's lien on any of these lands by reason of the bond and security required by this act." Adopted.

The bill, as amended, was then ordered engrossed.

On motion of Senator Swift, the rules were suspended, bill read third time and passed.

On motion of Senator Ireland, the rules were suspended, and the bill introduced by him to-day, entitled "An act granting further time to the Galveston, Harrisburg and San Antonio Railway Company, and allowing it to change the route of said road," was taken up and read second time.

Senator Dwyer offered the following amendment: *Provided*, said railway company shall establish and maintain depots in the city of San Antonio, within the distance from the Main Plaza, as specified and agreed upon between the county of Bexar and said railway company." Adopted.

The bill, as amended, was then ordered engrossed.

On motion of Senator Ireland, the rules were suspended, bill read third time and passed.

A message was received from his Excellency, the Governor.

The hour for the consideration of the special order having arrived, to-wit: Senate joint resolution No. 658, "Amending section six and section seven, of article five, and sections forty-five and forty-six, of article twelve of the constitution," it was taken up.

Senator Davenport moved that it be indefinitely postponed.

Senator Dillard moved that the further consideration of the joint resolution be postponed for three days. Lost by the following vote :

YEAS—Senators Ball, Bradshaw, Dillard, Dwyer, Ellis, Friend, Joseph, Morris, Parker and Swift—10.

NAYS—Senators Allison, Baker, Burton, Culberson, Craven, Davenport, Erath, Flanagan, Hobby, Ireland, Ledbetter, Randle, Russell, Shepard, Stirman, Westfall and Wood—17.

The question then recurring on the adoption of the motion of Senator Davenport, to indefinitely postpone the consideration of the Senate joint resolution, it was lost by the following vote :

YEAS—Senators Ball, Bradshaw, Burton, Culberson, Dillard, Davenport, Flanagan and Randle—8.

NAYS—Senators Allison, Baker, Craven, Dwyer, Ellis, Erath, Friend, Hobby, Ireland, Joseph, Ledbetter, Morris, Parker, Russell, Shepard, Stirman, Swift, Westfall and Wood—19.

On motion of Senator Wood, the joint resolution was re-referred to Committee on Constitutional Amendments.

On motion of Senator Friend, one hundred copies of the joint resolution was ordered printed, when the committee made their report on the same.

Senator Ireland, by leave, introduced a bill entitled "An act to amend the fifth section of an act entitled 'an act to organize courts of justices of the peace, and to define their powers and jurisdiction.'" passed — 1870. Read first time and referred to Judiciary Committee.

On motion of Senator Westfall, the rules were suspended and Senate bill No. 615, "An act to amend an act amendatory of and supplemental to an act entitled 'an act to incorporate the Pacific and Great Eastern Railway Company of Texas,'" passed May 31, 1873, was taken up and referred to Committee on Internal Improvements.

On motion of Senator Swift, the Senate adjourned until 10 o'clock A. M. to-morrow.

THIRTY-EIGHTH DAY.

SENATE CHAMBER,
AUSTIN, February 24, 1875.

Senate met pursuant to adjournment. Roll called ; quorum present. Prayer by the chaplain.

On motion of Senator Allison, the reading of the journal of yesterday was dispensed with.

Senator Russell, for Judiciary Committee, submitted the following report :

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Judiciary, to whom was referred Senate resolution "Instructing said committee to enquire into the necessity of making an appropriation to meet the expenses of extraditing criminals under the treaty between

the United States and Republic of Mexico," have carefully considered the same, and instruct me to report the accompanying bill, and recommend its passage.

RUSSELL, for Committee.

Senator Ireland, Chairman Judiciary Committee, submitted the following reports :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary ask leave to report back to your honorable body, Senate bill No. 728, "An act prescribing limitation in suits for partition of lands," and recommend that it do not pass.

JOHN IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary ask leave to report back to your honorable body, the petition of the tax-payers in school precinct No. 1, district No. 4, "For the payment of the debt on the school house in Burnet county" and recommend that their prayer be granted.

JOHN IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary ask leave to report back to your honorable body, Senate bill No. —, "An act to regulate the office fees to be charged by the Comptroller of Public Accounts," and recommend its passage with the following amendments:

Amend by striking out "one dollar" wherever it occurs, and insert in lieu thereof "fifty cents."

JOHN IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary ask leave to report back to your honorable body, the "Petition of Geo. H. Gray," and recommend that the prayer be granted.

JOHN IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary ask leave to report back to your honorable body, Senate bill No. 712, "An act concerning citation in civil cases," and recommend that it do not pass.

JOHN IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary ask leave to report back

to your honorable body, Senate bill No. 630, "An act to validate the official acts of J. H. Jernigan, as Notary Public of Hunt county," and recommend its passage.

JOHN IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Judiciary ask leave to report back to your honorable body, Senate bill No. 709, "An act to amend article 764. of the Criminal Code of Procedure of the State of Texas," and recommend that it do not pass.

JOHN IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Judiciary ask leave to report back to your honorable body, Senate bill No. 657, "An act to amend 'an act regulating juries,' " and recommend that it do not pass.

JOHN IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Judiciary ask leave to report back to your honorable body, Senate bill No. 402, "An act to amend article 398 of the Penal Code." and recommend its passage.

JOHN IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Judiciary ask leave to report back to your honorable body, Senate bill No. 704, "An act for the protection of poor persons in cases of writs of error," and recommend its passage. JOHN IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Judiciary ask leave to report back to your honorable body, Senate bill No. 647, "An act to amend the quarantine laws." They have come to the conclusion that the whole subject of quarantine should be remitted to the incorporated towns and cities of the State; and instruct me to report the accompanying substitute for the bill, and ask its passage. JOHN IRELAND, Chairman.

The title of the bill referred to, is: "An act repealing all laws on the subject of quarantine, and authorizing the several cities and towns to assume control of that subject."

Senator Hobby, Chairman Committee on Public Buildings, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Public Buildings, to whom was

referred Senate bill No. 737, "An act to prevent trespass on the real estate of the State, situate in Austin," have considered the same, and instruct me to report the bill back, and recommend its passage.

Hobby, Chairman.

Senator Culberson, Chairman Committee on Internal Improvements, submitted the following reports:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Internal Improvements ask leave to report back to your honorable body, Senate bill No. 504, "An act supplemental to and amendatory of 'an act to incorporate the Austin and Pacific Short Line Railroad Company,'" and recommend that the Senate do concur in House amendment.

Culberson, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Internal Improvements ask leave to report back to your honorable body, Senate bill No. 716, "An act concerning the location of the depot for the Texas and Pacific Railway Company, on the eastern border of the State," and recommend its passage.

Culberson, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Internal Improvements, to whom was referred Senate bill No. 734, "An act to authorize the corporation of the town of Henderson, in Rusk county, to issue bonds in aid of the construction of the Henderson and Overton Railroad," report said bill back, and recommend its passage.

Culberson, Chairman.

Senator Culberson introduced a bill entitled "An act to refund certain moneys to James Hogue." Read first time and referred to Judiciary Committee.

Senator Friend introduced a bill entitled "An act amendatory of and supplementary to the several acts in relation to the incorporation of and granting aid to the Texas and Mexican Railroad Company." Read first time and referred to Committee on Internal Improvements.

The following House bills were taken from the President's desk, and referred:

House bill No. 805. "An act to amend an act approved May 2, 1874, entitled an act to amend an act, approved

March 4, 1871, entitled an act to amend 'an act prescribing the time of holding the district courts in the several judicial districts of this State,' approved August 10, 1870; to lie on the table.

House bill No. 711, "An act regulating the affairs of the Deaf and Dumb and Blind Asylums;" to Committee on Asylums.

House bill No. 579, "An act to encourage the construction of narrow gauge railroads, and to cheapen transportation;" to Committee on Internal Improvements.

House bill No. 714, "An act to incorporate the Corpus Christi, San Diego and Rio Grande Narrow Gauge Railroad Company, and to grant lands to aid in the construction of its road;" to Committee on Internal Improvements.

On motion of Senator Westfall, the rules were suspended, and Senate bill No. 504, "An act supplemental to and amendatory of 'an act to incorporate the Austin and Pacific Short Line Railroad Company,'" was taken up, pending an amendment to the House.

The amendment of the House was concurred in.

A message from the House announced the passage of the following House bills, to-wit: House bill No. 813, "An act to perfect the organization of the county of Presidio." House bill No. 673, "An act to prohibit the sale of intoxicating or spirituous liquors within two miles of certain places therein named." Also, the following Senate bills, to-wit: Senate bills No. 696, "An act to amend the second section of 'an act to organize the Seventh, Eighth and Eleventh Judicial Districts, and to fix the time of holding the courts therein.'" Senate bill No. 522, with House amendments, "An act for the relief of the sheriff of Rusk County." Senate bill No. 557, "An act prescribing the times of holding the district courts in the Thirteenth Judicial District of the State of Texas, and to repeal an act passed by the Fourteenth Legislature, and approved May 1st, A. D. 1874." Senate bill No. 638, "An act to authorize the county court of Travis county to issue and dispose of the bonds of said county, for the purpose of erecting a courthouse and jail, in accordance with the provisions of 'an act to lease to the use of Travis county, certain land in the city of Austin, on which to erect a courthouse and jail, and to enable said county to build the same,' approved May 4, 1874, and to provide for the redemption of said bonds." Senate bill No. 451, "An act to

incorporate the Houston, East and West Texas Railway Company, and to promote the construction of its railway."

On motion of Senator Flanagan, the rules were suspended, and Senate bill No. 734, "An act to authorize the town of Henderson to aid in the construction of the Henderson and Overton Railroad," was taken up, read second time and ordered engrossed.

On motion of Senator Flanagan, the rules were suspended, bill read third time and passed.

Senator Ireland presented a communication from the Chief Justice of the Supreme Court. Read and referred to Committee on Judiciary.

Senator Baker presented a communication from G. W. Goldthwaite, of Houston. Read and referred to Judiciary Committee.

On motion of Senator Culberson, the rules were suspended and Senate bill No. 710, "An act concerning the location of the depot for the Texas and Pacific Railway Company, on the eastern border of the State," was taken up, read second time and ordered engrossed.

On motion of Senator Culberson, the rules were suspended, bill read third time and passed.

On motion of Senator Wood, the rules were suspended, and Senate bill No. 690, "An act to repeal article 40 of an act entitled 'an act to establish a Code of Criminal Procedure for the State of Texas,' approved August 26, 1857, was taken up and read second time.

Senator Ireland offered the following amendment: Strike out "1857" in the caption of the bill, wherever it occurs, and insert "1856." Adopted.

The bill as amended, was then ordered engrossed.

On motion of Senator Wood, the rules were suspended, bill read third time, and passed.

On motion of Senator Ball, the rules were suspended, and House bill No. 748, "An act to authorize the county court of Grayson to issue bonds," was taken up and read second time.

Senator Craven offered the following amendment: Amend section 2, by inserting after the word "act," in the sixteenth line, the words: "*Provided*, said bonds shall in no case be sold for less than ninety cents on the dollar." Adopted.

The bill as amended then passed to third reading.

On motion of Senator Ball, the rules were suspended, bill read third time and passed.

On motion of Senator Friend, the rules were suspended and Senate bill No. 632, "An act to amend 'an act to regulate the estraying of stock,'" approved October 26, 1866, was taken up and read second time.

Senator Ireland offered the following amendment: *Provided*, no animal shall be estrayed between the first day of April and the first day of November. Adopted.

The bill, as amended, was then ordered engrossed.

On motion of Senator Morris, the rules were suspended, bill read third time and passed.

On motion of Senator Ellis, the rules were suspended and Senate bill No. 684, "An act prescribing the compensation of the Financial Agent of the State, or other agent employed by the Governor, to sell the bonds of the State," was taken up and read second time.

Senator Bradley offered the following amendment: *Provided*, that the provisions of this act shall not apply to bonds which have already been sold: and shall not vary any contract, or engagement heretofore made by the Governor with the Financial Agent of the State. Lost.

Senator Bradley moved to refer the bill to Committee on Judiciary. Lost by the following vote:

YEAS—Senators Allison, Ball, Bradshaw, Bradley, Camp, Dillard, Hobby, Ireland, Morris, Parker, Russell and Westfall—12.

NAYS—Senators Baker, Burton, Culberson, Davenport, Dwyer, Ellis, Erath, Flanagan, Friend, Joseph, Ledbetter, Randle, Shepard, Stirman, Swift and Wood—16.

The bill was then ordered engrossed.

On motion of Senator Swift, the rules were suspended, bill read third time and passed.

On motion of Senator Ireland, the rules were suspended and Senate bill No. 691, "An act regulating the times of holding the terms of the district court in the Fifteenth Judicial District," was taken up, pending House amendments. The amendments of the House were concurred in.

Senator Flanagan presented the petition of W. J. Long, ex-sheriff of Bell county, "asking relief." Read and referred to Committee on Finance.

On motion of Senator Shepard, the rules were suspended and Senate bill No. 601, "An act to amend section 357. of an act entitled 'an act prescribing the mode of proceeding

in district courts, in matters of probate," approved August 15, 1870, was taken up, read second time and ordered engrossed.

On motion of Senator Shepard, the rules were suspended, bill read third time and passed.

A message was received from the House announcing that the House refused to recede from the first amendment to section four of Senate bill No. 616, "An act to incorporate the Red River and Rio Grande Rail Road Company, and to authorize the building of branches thereto, and to grant lands to aid in the construction thereof," in which the Senate refused to concur, and ask a committee of conference on the disagreement between the two Houses, and announcing that the House had appointed as said committee. Representatives Reeves, Pickett, Cochran, Bruce, Hays, Helton and DeMorse.

The President appointed as a committee, on the disagreement between the two Houses, on the bill just reported from the House, Senators Ball, Allison, Westfall, Culbertson, Flanagan, Stirman and Joseph.

On motion of Senator Davenport, the rules were suspended and Senate bill No. 547, "An act to validate the acts of J. B. B. Supple, Notary Public of Bell county," was taken up, pending amendments by the House.

On motion of Senator Davenport, the House amendments were concurred in.

Senator Joseph, for Committee on Engrossed Bills, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 710, "An act concerning the location of the depot for the Texas and Pacific Railway Company, on the eastern border of the State;" Senate bill No. 734, "An act to authorize the corporation of the town of Henderson, in Rusk county, to aid in the construction of the Henderson and Overton Railroad," and find both of same correctly engrossed.

JOSEPH, for Committee.

On motion of Senator Wood, the rules were suspended, and Senate bill No. 733, "An act supplemental to and amendatory of 'an act to establish Criminal Court in Waco and Marlin,'" was taken up and read second time.

Senator Wood offered the following amendment :

“ *Provided*, it shall be the duty of the district court to transfer the criminal business from said district court to the criminal court, created by this act.” Adopted.

The bill, as amended, was then ordered engrossed.

On motion of Senator Erath, the rules were suspended, bill read third time and passed.

On motion of Senator Shepard, the message of the Governor, received on yesterday, was taken upon and read.

The message was as follows :

EXECUTIVE OFFICE, STATE OF TEXAS,)
AUSTIN, February —, 1875. }

To the Honorable Senate of the State of Texas :

GENTLEMEN :—I respectfully ask your advice and consent to the following appointments, to-wit :

James E. Whiteselle, to be notary public, Anderson county ; W. S. Calwell, to be notary public, Anderson county ; Ulysses Howard, to be notary public, Bastrop county ; Wm. C. Belcher, vice John Long, deceased, to be notary public, Bowie county ; W. G. Taliaferro, to be notary public, Brazos county ; W. K. Homan, to be notary public, Burleson county ; T. B. Reese, to be notary public, Clay county ; Allen K. Swan, to be notary public, Clay county ; James A. Rawles, to be notary public, Coryell county ; James M. Brown, to be notary public, Delta county ; J. Williamson Moses, to be notary public, Duval county ; B. G. Walcott, to be notary public, Fannin county ; C. W. Rutherford, to be notary public, Hamilton county ; J. A. Julian, to be notary public, Hays county ; J. R. Burleson, to be notary public, Hays county ; Allen Caruthers, to be notary public, Hill county ; A. A. Henderson, vice A. H. Lattimer, removed from county, to be notary public, Hopkins county ; Branch A. Watson, to be notary public, Washington county ; J. A. Nisbet, to be notary public, Lee county ; W. E. Love, to be notary public, Lee county ; James G. Winter, to be notary public, Liberty county ; John S. Love, to be notary public, Montague county ; W. D. Allen, vice W. T. Foushee, resigned, to be notary public, Montague county ; M. T. Gaffaney, to be notary public, Nueces county ; J. K. P. Shirley, to be notary public, Palo Pinto county ; B. C. Rhome, to be notary public, Smith county ; John J. Egan,

vice Christian Hess, failed to qualify, to be notary public, Cameron county; Thos. M. Paschal, to be notary public, Kinney county; Jones Griner, to be notary public, Kinney county; Chas. L. Dignowitty, to be notary public, Kinney county; H. C. Peterson, to be notary public, Webb county.

Very respectfully.

RICHARD COKE, Governor.

On motion of Senator Russell, the Senate went into executive session.

IN SENATE.

The Secretary was instructed to inform his Excellency, the Governor, that the Senate does advise and consent to the appointments recommended in his Excellency's message.

On motion of Senator Friend, the rules were suspended, and Senate bill No. 516, "An act to translate the laws of the Fourteenth Legislature in German and Spanish," was taken up, read second time and ordered engrossed.

The bill was then read third time and lost by the following vote:

YEAS—Senators Bradshaw, Camp, Culberson, Davenport, Dwyer, Ellis, Flanagan, Ireland, Joseph, Ledbetter, Russell and Westfall—12.

NAYS—Senators Allison, Ball, Baker, Burton, Craven, Dillard, Erath, Friend, Hobby, Morris, Parker, Shepard, Stirman, Swift and Wood—15.

Senator Ireland, by leave, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Judiciary beg leave to state that it has, with more than its usual labors, considered Senate bill No. 666, "An act to discourage and prevent fraudulent conveyances to real estate," brought forward by the *distinguished* citizen of DeWitt county, now at the Capitol. Your committee herewith report an amendment to the bill, and recommend its passage, as amended.

Amendment: "That the Governor be authorized to employ an agent, at a salary of \$1000 00 per annum, to collect said seals."

JOHN IRELAND, Chairman.

Senator Shepard moved to adjourn. Lost.

Senator Flanagan moved that the bill just reported from the Judiciary Committee be made a special order for Wed-

nesday next, at 10 o'clock A. M., made special order for that day and hour, and to continue as said special order from day to day until disposed of.

Senator Swift moved to make it the special order for Wednesday, the 31st inst. Lost.

The motion made by Senator Flanagan was then adopted.

On motion of Senator Culberson, the rules were suspended, and Senate bill 615, "An act to incorporate the Henderson and Center Railway," was taken up, read second time and ordered engrossed.

On motion of Senator Culberson, the rules were suspended, bill read third time and passed by the following vote :

YEAS—Senators Ball, Baker, Bradley, Burton, Camp, Dillard, Davenport, Dwyer, Ellis, Erath, Flanagan, Friend, Hobby, Ireland, Joseph, Morris, Parker, Randle, Russell, Stirman, Swift, Westfall and Wood—24.

NAYS—Senators Allison and Bradshaw—2.

On motion of Senator Westfall, the rules were suspended, and House bill No. 805, "An act to amend an act, approved May 2, 1874, entitled 'an act to amend an act, approved March 4, 1871, entitled an act to amend an act prescribing the time of holding the district courts in the several judicial districts of this State,'" approved August 10, 1870, was taken up and read first time.

Rules suspended, bill read second time and passed to third reading.

On motion of Senator Westfall, the rules were suspended, bill read third time and passed.

The President of the Senate presented the following communication from his Excellency, the Governor :

EXECUTIVE OFFICE, STATE OF TEXAS,)
AUSTIN, February 22, 1875.)

Hon. R. B. Hubbard, President of the Senate :

SIR—I have the honor to hand you herewith the captions of all bills and joint resolutions passed by the Legislature and approved by me since February 11th, 1875.

Very respectfully, RICHARD COKE.

Senate bill No. 483, "An act to amend sections three (3) and seven (7) of 'an act to incorporate the Rusk Transportation Company,'" approved May 2d, 1874: approved February 13th, 1875.

House bill No. 621, "An act to repeal an act entitled 'an act concerning the levy of taxes for Bexar county,'" passed August 12th, 1870; approved February 13th, 1875.

House bill No. 637, "An act supplemental to and amendatory of an act entitled 'an act to incorporate the Corpus Christi and Rio Grande Railway Company, and to aid in the construction of the same,'" passed May 24, 1873; approved February 13, 1875.

House bill No. 603, "An act to legalize and validate all amendments to town and city charters, made under the provisions of 'an act to provide for the amendment of town and city charters,'" approved April 24, 1874; approved February 13, 1875.

Senate bill No. 503, "An act appropriating five thousand dollars to improve the Capitol grounds;" approved February 13th, 1875.

Senate bill No. 554, "An act to enable the citizens of the town of Ledbetter to reorganize their municipal government;" approved February 13th, 1875.

Senate bill No. 543, "An to improve the navigation of Neches river in the State of Texas, from Weiss' Bluff on said river to Bunn's Bluff;" approved February 13th, 1875.

House bill No. 604, "An act amendatory of and supplemental to an act amendatory of and supplemental to an act entitled 'an act to regulate the assessment and collection of taxes,'" approved May 31st, 1873; approved April 30th, 1874; approved February 13th, 1875.

House bill No. 745, "An act making provisions for the purchase and safe-keeping of a library of moral and useful books for the use and improvement of the convicts confined in the State penitentiary;" approved February 13th, 1875.

House bill No. 559, "An act to amend section one of 'an act directing the publication of the expenditures, assets and indebtedness of the several counties,'" approved March 8, 1873; approved February 13th, 1875.

House bill No. 580, "An act to authorize the Governor to employ a detective to ferret out frauds in regard to land claims against the State, and to make an appropriation to defray the expenses of the same;" approved February 15th, 1875.

House bill No. 551, "An act to prohibit the manufacture or sale of intoxicating liquors within two miles of the

public square of the town of Honey Grove, Texas ;” approved February 15th, 1875.

Senate bill No. 472, “An act to provide for the building and completing of two State penitentiaries, with a view to the utilization of the convict labor of the State in mining and manufacturing enterprises ;” approved February 16th, 1875.

Senate joint resolution No. 631, “Joint resolution requesting our Senators and Representatives in Congress, to aid in securing the passage of a law for the relief of the heirs of L. R. Wortham, deceased ;” approved February 17th, 1875.

House bill No. 224, “An act regulating fire and marine insurance companies, and providing fines and penalties for its enforcement ;” approved February 17th, 1875.

House joint resolution No. 32, “Joint resolution for the relief of Rufus A. Upton, late sheriff of Refugio county ;” became a law without the Governor’s approval February 17th, 1875.

Senate bill No. 592, ‘An act supplementary to and amendatory of ‘an act prescribing the times of holding district courts in the several judicial districts in the State,’ ” approved August 10, 1870 ; approved March 1, 1871 ; approved February 18, 1875.

House bill No. 762, “An act making an appropriation to pay Richardson, Belo & Co., for certain public printing therein mentioned,” approved February 18, 1875.

House bill No. 677, ‘An act to incorporate the Austin Bridge Company,’ approved February 18, 1875.

Senate bill No. 456, “An act to establish a Criminal Court in and for the cities of Jefferson, in Marion county, Marshall, in Harrison county, Tyler, in Smith county, and Palestine, in Anderson county, and defining the powers thereof,” approved February 18, 1875.

Senate bill No. 641, “An act to carry into effect section 24 of article 5, of the constitution, by defining the offenses of non-feasance, mis-feasance and mal-feasance in office, and providing penalties therefor,” approved February 18, 1875.

On motion of Senator Erath, the Senate adjourned until 10 o’clock A. M. to-morrow.